

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

JAMEY PAUL BURRAGE

PLAINTIFF

V.

CIVIL ACTION NO. 1:20-CV-00180-DAS

LEE COUNTY

DEFENDANT

ORDER

This matter comes before the Court upon Plaintiff's "Motion to Appeal On Order of Dismissal." Doc. # 15. It is evident after reviewing the instant filing that Plaintiff mistakenly believes that his case has been dismissed. *See id.* Specifically, Plaintiff cites the Court's recent order denying Plaintiff's motion to amend his complaint. *Id.*; *see also* Doc. # 13. In that order, the Court denied Plaintiff leave to amend his complaint because he wished to add allegations regarding conduct that occurred *after* he filed the instant suit. *See* Doc. #s 7, 13. To be clear, in that order the Court found only that Plaintiff was unable to amend his complaint, not that his case was dismissed. Doc. # 13. At present, Plaintiff's claims raised in the original complaint filed on August 20, 2020, remain pending, and will be reviewed at the *Spears* hearing set for February 25, 2021. *See* Doc. # 6. Thus, Plaintiff's motion [15] to appeal a dismissal which has not occurred is hereby **DENIED as moot**.

SO ORDERED, this the 5th day of October, 2020.

David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE